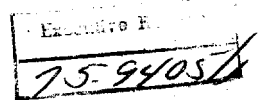


CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D. C. 20505



The Honorable John L. McClellan, Chairman
Committee on Appropriations
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

The Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities has prepared a report on the subject of assassinations which it will present to the full Senate for its information in a closed session on 19 November. It is the intention of the Select Committee thereafter to reveal the contents of the report by general public distribution.

I write to express my deep concern over the proposal to distribute this report to the public. I have communicated with the Select Committee by the attached copy of a letter to its Chairman expressing my concern and have made a vigorous oral presentation to the Committee along the same lines. The President has separately stated his deep concern over the publication of this material as indicated by the attached copy of a letter he sent to the Committee.

The bases for our concern are two:

a. The damage that can be done to the United States by the authoritative revelation of the details of certain earlier activities. These details have been learned from our full cooperation with the Committee's investigations by providing witnesses, documents, and other materials pursuant to the President's directive. Our current policy is firmly against any such activity, as indicated by the attached memorandum issued within CIA by my predecessor, Mr. Richard Helms, and by the further attached directive I issued in August 1973.

*Identical letter + attachments sent to
John C. Stennis.*

b. Revelation of names can place the individuals themselves in danger to their lives and livelihoods. There are several CIA officers, there are Americans who collaborated with CIA in good faith that their collaboration was secret, and there are foreign individuals mentioned in the report. At our strong urging, the Select Committee has deleted the names of other individuals in each of these categories, but it has held to the inclusion of a remaining group of approximately twelve. One of these individuals brought an action in the U.S. District Court for the District of Columbia attempting to secure the exclusion of his name by judicial action. This case was heard on 17 November before Judge Gerhard A. Gesell, who in deciding the case for the defendants, nonetheless found that:

"Plaintiff has established that there is a real possibility of physical harm to himself if his name is revealed in the manner the report contemplates. This harm could take the form of physical violence against him or physical retribution against members of his family. Because of the nature of the information contained, it is certain to arouse unstable radical and hostile domestic and foreign groups and the Court finds that the report increases his danger."

In the face of such a strong finding of fact, the matter was rendered moot when the Select Committee decided to delete the name in question. In view of this action, I believe there is a high responsibility on the Senate to review the propriety of the inclusion of similar names. I do not believe the inclusion of the names or identification of these individuals is essential to the conclusions the Select Committee has reached or that the disclosure of the names will serve any legitimate legislative purpose. If there is disapproval of their actions in earlier years, punishment for such action should under our Constitution be a matter for the courts and not a legislative trial exposing the individual to the perils of "unstable radical and hostile domestic and foreign groups."

The argument will be made that certain senior officers of the Government must be responsible for their actions before our public. Accepting this argument, I respectfully submit that it applies only to elected officials or

to those publicly confirmed by the Senate. Those middle grade government employees, who have voluntarily accepted the risks involved with employment by CIA are entitled to a life of anonymity and confidentiality upon retirement.

I would appreciate any assistance you may be able to provide on this matter during the Senate's consideration of this report. In particular, I would urge:

a. That the report be limited to overall conclusions and recommendations for future legislation or other Governmental action;

b. At the very least, that the names and identification of all individuals alleged to have participated in assassination-related activities be excluded from the version of the Committee's report to be given public distribution.

Sincerely,


W. E. Colby
Director

cc: Senator Church

SEC. CL. Un		ORIGIN DCI		CONTROL NO. NIO#2435-75	
DATE OF DOC Nov 1975	DATE REC'D 19 Nov 75	DATE OUT	SUSPENSE DATE	CROSS REFERENCE OR POINT OF FILING	
<p>TO Senator John L. McClellan FROM W. E. Colby SUBJ. Re distribution of report on the subject of assassinations prepared by the Senate Select Committee to Study Gov't Operations with Respect to Intelligence Activities. ER 75-9405/1 <i>SSG file</i></p>				ROUTING D/NIO	DATE SENT
COURIER NO.	ANSWERED	NO REPLY		1	